



CTIA

*Building The Wireless Future™*  
Cellular Telecommunications & Internet Association

October 10, 2002

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
12th Street Lobby, TW-A325  
Washington, DC 20554

**Re: Ex Parte Presentation**  
**IB Docket No. 01-185; ET Docket No. 95-18; ET Docket No. 00-258**

Dear Ms. Dortch:

On October 9, 2002, the Cellular Telecommunications & Internet Association ("CTIA") represented by Diane Cornell, Vice President for Regulatory Policy, and Christopher Guttman-McCabe, Director for Regulatory Policy, met with Sam Feder, Legal Advisor for Commissioner Martin. The parties discussed issues relating to the above-captioned Notice of Proposed Rulemaking on terrestrial flexibility, as well as New ICO's ancillary terrestrial component ("ATC") proposal. CTIA reiterated its view that the New ICO ATC proposal and the statements by New ICO in support of its proposal demonstrate that the 2 GHz Mobile Satellite Service ("MSS") spectrum should be reallocated from MSS, and made available for other services. In addition, CTIA noted that it appears that several carriers have already missed their milestones, as detailed by filings of other parties in the record. CTIA stated that this spectrum should be reclaimed from those licensees and reallocated for other services, along with the unassigned MSS spectrum. CTIA also emphasized that the terrestrial flexibility sought by New ICO is inconsistent with Commission precedent and with the requirements of the Communications Act that spectrum for terrestrial services be auctioned.

Pursuant to Section 1.1206 of the Commission's Rules, this letter is being filed with your office. If you have any questions concerning this submission, please contact the undersigned.

Sincerely,

Diane Cornell

Diane Cornell

Cc: Sam Feder

